

**FILED**

**FEB 11 2014**

**N.J. BOARD OF NURSING**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY STATE  
BOARD OF NURSING

IN THE MATTER OF THE  
LICENSE OF

**SHAUNA M. STAHLBERGER, L.P.N.**  
**License # 26NP06707900**

TO PRACTICE NURSING IN THE  
STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER  
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

**FINDINGS OF FACT**

1. Respondent is a licensed practical nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about May 31, 2013, respondent was sent a subpoena to appear and give testimony before a committee of the Board on June 19, 2013 to respond to questions about her nursing practice, present and past employment, arrest/conviction history, present status of her criminal probation, compliance with criminal probation, completion of criminal probation, payment of criminal fines/assessments, recent job performance evaluations, and completion of continuing education. The subpoena was sent by overnight and regular mail to respondent's address of record. The overnight mailing was delivered on June 3, 2013. The regular mailing was not returned.

3. Respondent did not appear in response to the subpoena, nor did she contact the Board with respect to the subpoena.

#### CONCLUSIONS OF LAW

The failure of respondent to appear pursuant to the subpoena constitutes a failure to cooperate with a Board investigation within the intendment of N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21 (e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking the suspension of respondent's license was entered on September 9, 2013. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

After receiving the Provisional Order of Discipline, respondent wrote a letter stating that she was in the process of preparing a response, but she needed additional time due to a family medical issue. Thereafter, the Board offered respondent the opportunity to voluntarily surrender her license, for good cause, until she appeared before the Board and cooperated with the Board's investigation of her criminal history, nursing practice, nursing employment, continuing education, and fitness and competency to practice. Respondent declined to voluntarily surrender her license and indicated that she would be willing to appear before the Board.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Respondent does not dispute that she failed to appear pursuant to the subpoena or that she failed to contact the Board either before, during, or after the time of her scheduled appearance. Additionally, Respondent has offered no explanation as to her failure to appear.

ACCORDINGLY, IT IS on this 11<sup>th</sup> day of Feb, 2014,  
ORDERED that:

1. Respondent's New Jersey nursing license is hereby suspended. Respondent may not seek reinstatement of her license until she has appeared before the Board, and until she is able to demonstrate that she is fit and competent to practice nursing.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Ann Murphy, PhD, APRN, FAAN  
Patricia Ann Murphy, PhD, APN  
Board President